

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

24 September, 2015
06
15/2362

SITE INFORMATION

RECEIVED: 4 June, 2015

WARD: Kilburn

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 37A Streatley Road, London, NW6 7LT

PROPOSAL: Basement extension with front and rear lightwells to ground floor flat

APPLICANT: Ms Celia Stephenson

CONTACT: More Space

PLAN NO'S: See Condition 2

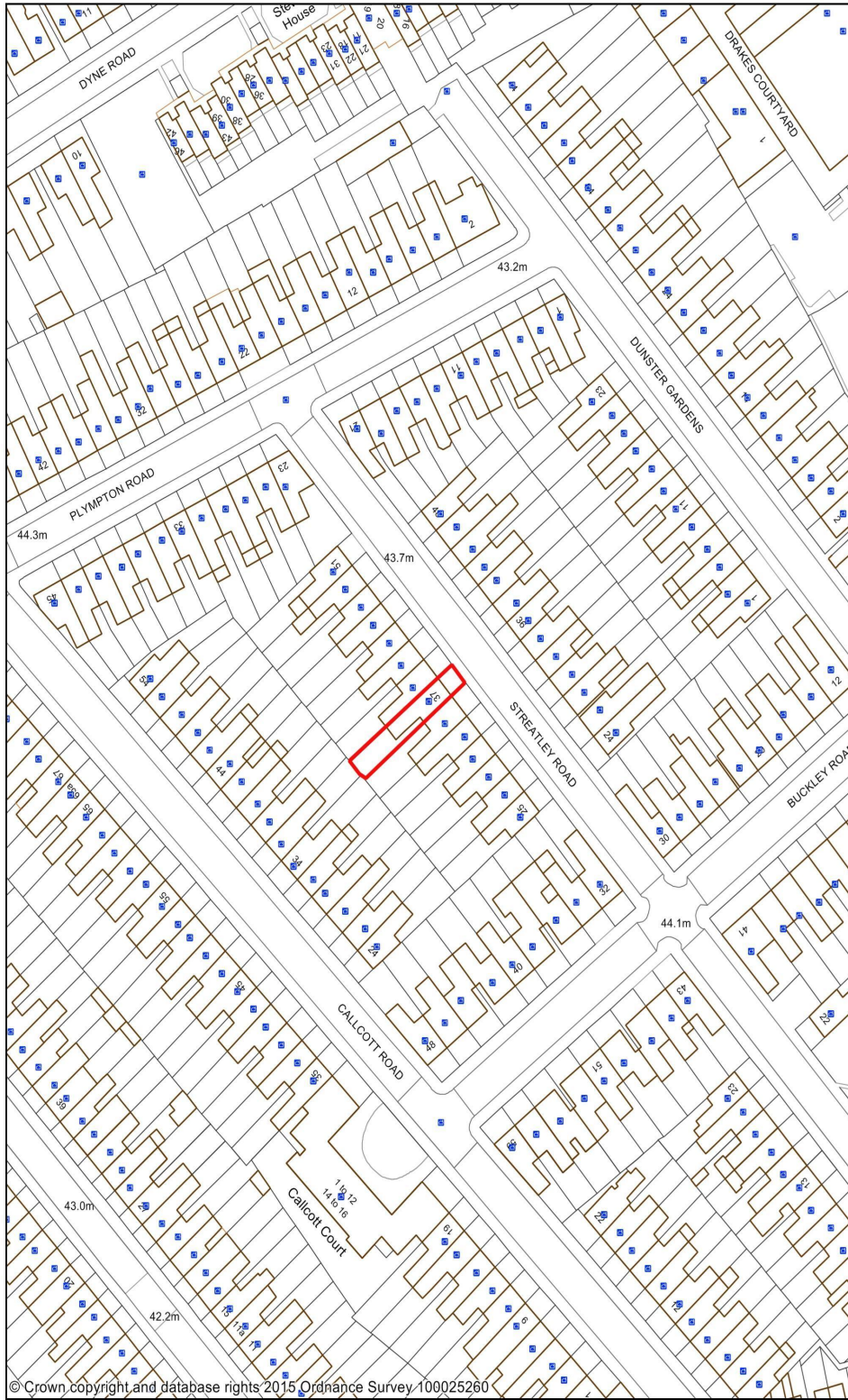
SITE MAP



Planning Committee Map

Site address: 37A Streatley Road, London, NW6 7LT

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1:1250

0 0.02 0.04 kilometres



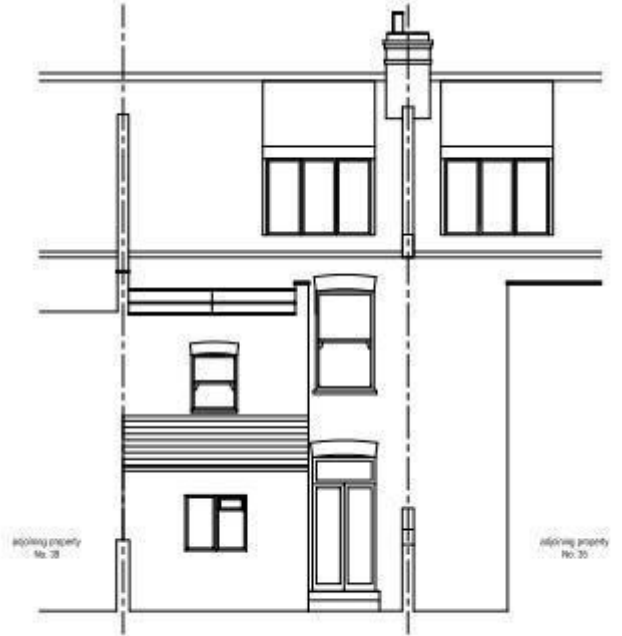
This map is indicative only.

SELECTED SITE PLANS

SELECTED SITE PLANS



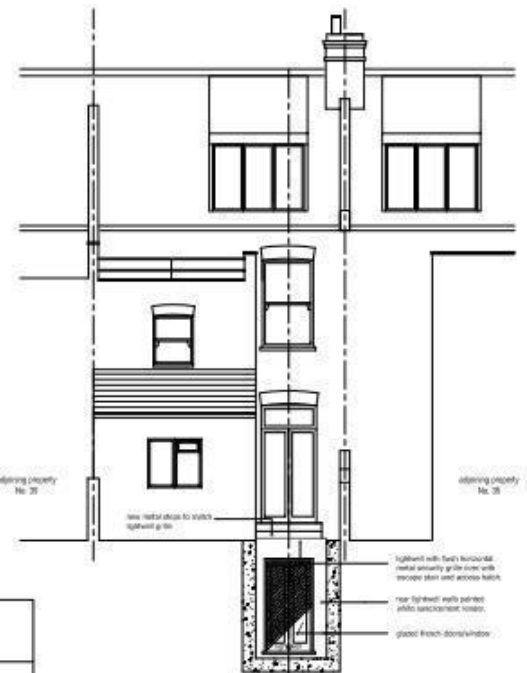
Front Garden Elevation - As Existing



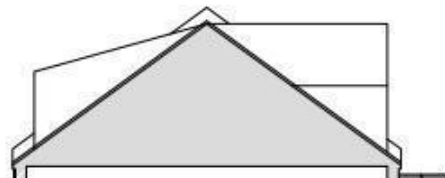
Rear Garden Elevation - As Existing

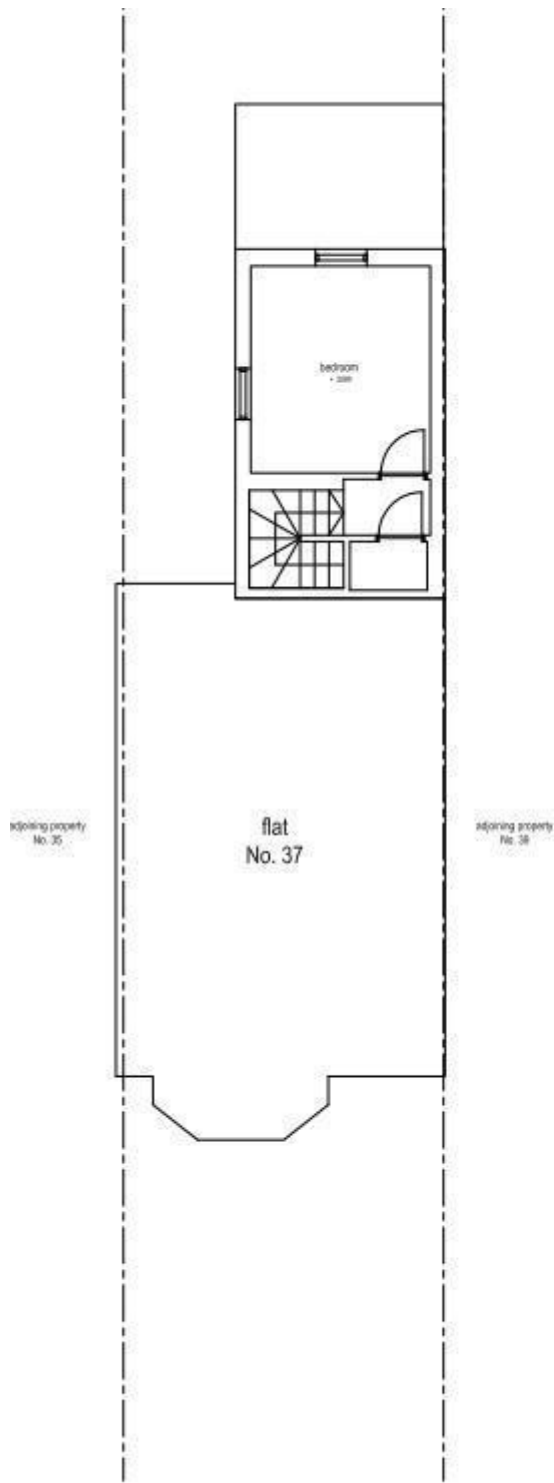


Front Garden Elevation - As Proposed

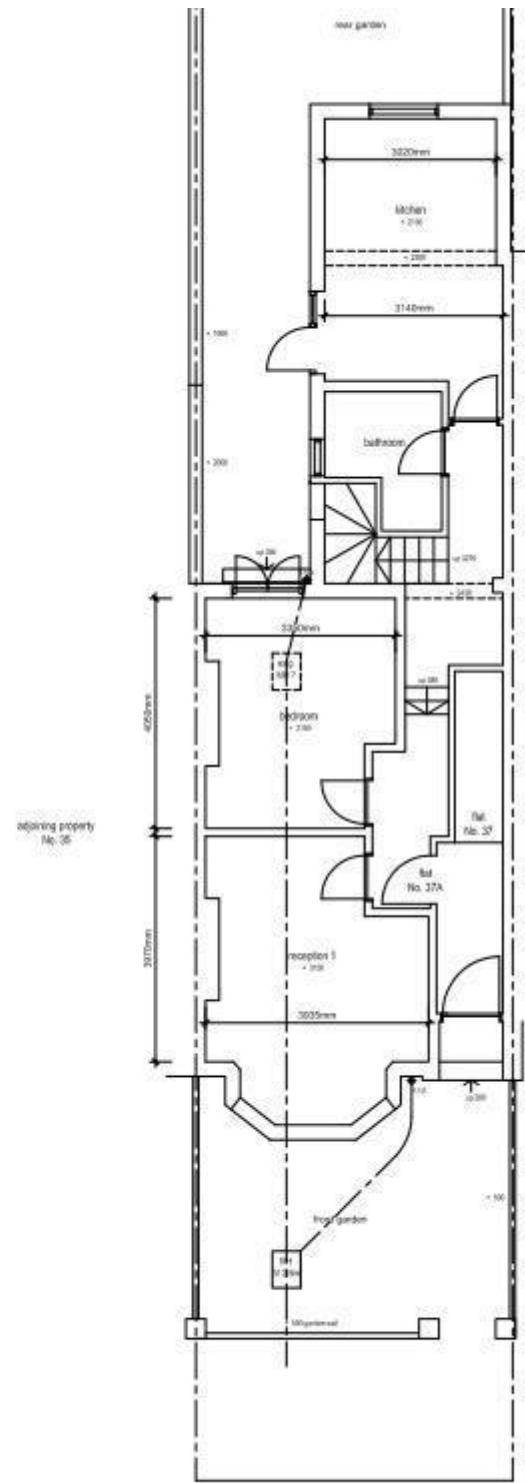


Rear Garden Elevation - As Proposed





First Floor Plan - As Existing



Ground Floor Plan - As Existing

A) PROPOSAL

Basement extension with front and rear lightwells to ground floor flat

B) EXISTING

The subject site is a duplex ground floor flat within a 2 storey mid-terrace former dwellinghouse house sub-divided into 2 flats. The site is located on Streatley Road which is predominately residential in character and within the designation North Kilburn Conservation Area. The site is not listed.

C) AMENDMENTS SINCE SUBMISSION

Revised plans were requested for a reduction in the depth of the lightwell in relation to the outside of its profile being no more than 800mm from the bay profile. Additionally, plans for forecourt landscaping were requested to help screen the presence of the lightwell within the conservation area and its appearance from the public highway

D) SUMMARY OF KEY ISSUES

Excavation of basement: The proposal comprises the excavation of a basement level under the main body of the ground floor flat i.e. not including the outrigger to the rear.

Front lightwell: This will be 800mm in depth to the outside of its profile when measured from the existing bay window. This is the maximum depth of lightwell supported in general within the borough.

Frontage- Appropriate soft landscaping sought, taking into account the size of the garden and street precedent.

Ownership of the site: This is a civil matter between the applicant and the other freeholder of the site. Nevertheless, it is considered prudent to mention that concerns raised by the neighbouring freeholder.

RELEVANT SITE HISTORY

15/1285 - Withdrawn, 05/06/2015

Basement extension with front and rear lightwells to ground floor flat

14/2179 - Allowed, 14/2179

Proposed erection of a single storey side infill extension to ground floor flat

89/0813 - Granted, 17/08/1989

Conversion into 2s/c maisonettes

CONSULTATIONS

Date: 19 June 2015

Press Notice: 02/07

Site Notice: 25/06

Scale of consultation: Fifty-nine (59) neighbouring proprietors were consulted by post, including Al Forsyth of the Brondesbury Residents and Tenants group who responded to the previous consultation for case 15/1285 that had to be withdrawn.

Representations received: 11 in total.

- Objections: 7
- Support: 2
- Comments: 2

Objection Raised

5x Similar Objections: Understanding is numbers 35, 39, 28 and 29 on Streatley Road have all required underpinning. Extensive excavations that will be required with this application could undermine tenor stability and any other houses on the road..

This work will cause significance disruption with

Response

See 3.2.1 in Remarks section and Construction Method Statement.

See 3.2.1 in Remarks, Construction

already limited parking on the road. Careless and callous given the fragile stability of the neighbouring houses. There is no precedent for doing such works and it will open the floodgates. This will lead to a domino effect as the foundations of our street become weakened and our general happiness and wellbeing effected. This work is unsafe.

Method Statement and Conditions relating to safeguarding neighbourhood amenity during the construction phase.

Structural issues related to digging under 100+ year old foundations - primarily those on either side of the building works, but likely to affect the entire terrace as they are all connected. The works itself whilst underway are likely to cause significant disturbance in the form of noise and dust on what is an otherwise lovely and quiet street.

See 3.1.1, 3.2.1 in Remarks and Construction Method Statement.

Support/Comments

Great positive commitment to Streatley Road. This basement will increase the value of the property and pave the way for other similar developments. This is necessary to develop and to improve the area and would in my opinion be in keeping with the conservation area status of the street.

Section in report
See section 3.1.2 and Conclusion

Front and rear lightwells are far less of a change to the overall appearance of a property than roof extensions and the area has many of these. Development will always involve short-term disruption to neighbours but we managed the years of scaffolding as people extended into their lofts - this is just the next phase and should be embraced to allow people to improve their homes and stay in an area they love.

See section 3.1.2, 3.2.2 and Conclusion

POLICY CONSIDERATIONS

National Planning Policy Framework (2012)

All development has a presumption in favour of sustainable development. Brent's planning policies are found to be compliant with the NPPF

London Plan (2011)

For the purposes of Section 38 (2) of the Planning and Compulsory Purchase Act 2004, the statutory spatial development strategy for the area is the London Plan, which was formally adopted in 2011.

The following policies within the London Plan are relevant to this decision:

Policy 7.1 Building London's neighbourhoods and communities - Buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area.

Policy 7.6 Architecture - Buildings and structures should be of the highest architectural quality and be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm.

Local Policy

For the purposes of Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the statutory

development plan for the area is the Unitary Development Plan (UDP), which was formally adopted in 2004, and the Core Strategy, adopted in 2010.

Core Strategy 2010

CP17 - Protecting and Enhancing the Suburban Character of Brent

Brent UDP 2004

BE2 - Townscape: Local context & Character

BE7 – Public Realm: Street scene

BE25 - Development in Conservation Areas

BE26 - Alterations and Extensions to Buildings in Conservation Areas

Brent Supplementary Planning Guidance (SPG)

SPG 5 – Altering and extending your home

Basements Practice Guides

North Kilburn Conservation Area Design Guide- *Considered, but no relevant commentary with regards to Basements.*

DETAILED CONSIDERATIONS

1. Background & Context

1.1 Site: There is no significant change in ground level to the rear garden. The drawings are correct and confirmed when visited by the Case Officer.

1.2 Amendments: It was requested requested that a forecourt planting plan be submitted to soften the appearance of the front lightwell and that the depth of the lightwell be no more than 800mm when measured to the outside of its profile. Subsequently, a condition has been advised to confirm details.

1.3 Basements Policy: A basement development is particularly sensitive. Basement proposals have been discussed by Councillors at Committee in November 2014. Issues of basement construction, design, visual impact to a conservation area and the potential long term impacts to neighbouring properties were discussed and it was concluded that basement excavation should be supported in principle with the provision of details set out in the Basement Practice Guide (2013). This approach is generally adopted for all basement applications in the borough and the requirement for forecourt landscaping especially insisted on within conservation areas.

2. Proposal Description

2.1 Creation of Basement: This proposal entails creation of a basement under the main footprint of the house; a front lightwell, a rear lightwell and internal arrangements. The basement space is to provide 2 x bedrooms, a utility room and 1 x bathroom. Access to the basement will be from under the existing internal staircase of the house. There is no access to the basement from the rear garden.

2.2 Excavation: The basement proposal will span the footprint of the whole house as currently extended. Excavation will be to a depth of 3m allowing for an internal floor to ceiling height of 2.6m.

3. Key Considerations

3.1. Whether the proposal preserves or enhances the Kilburn Conservation Area

The proposed development would need to have an acceptable impact on the character of the host dwelling and surrounding area and would need to preserve or enhance the special character of the Kilburn Conservation Area in order to be considered acceptable. Each part of the proposed development is assessed below:

3.1.1 Basement: The basement, as an individual element is expected to preserve the Conservation Area. It will not be visible from the road and the scale of the proposal is not excessive in comparison to the property. A Construction Method Statement has been undertaken and this is discussed in the "Impact on Neighbouring Amenity" section. In general, this part of the application satisfied the Councils policies as outlined in the conclusion.

3.1.2 Lightwells and external alterations: The lightwells and other alterations are important to get right to

protect and enhance the Conservation Area. Amendments have been requested for this to reduce the size of the front lightwell and increase the amount of soft landscaping.

The proposal now has a large expanse of foliage screening the light well as well as an additional flowerbed. The depth of the front garden is 4.5m from the main section of the house (not including the depth of the bay window) so a lightwell depth of 800mm is not considered to dominate the frontage. This is consistent with other approved basement applications in Conservation Areas. In addition, and whilst the exact details of this are to be conditioned, a new path has been sought by Officers to ensure the enhancement of the front of the property to mitigate against the potential effects of the lightwell and further enhance the frontage to the property. 4 bins are shown in the site plan, but there is adequate room for two more if needed. For the avoidance of doubt, the specifics of the condition read that submitted details must include;

- (i) planting of the front garden area with shrubs and/or trees;
- (ii) retention of the front garden wall or walls and the retention of the existing front boundary privet hedge;
- (iii) placement of waste and recycling storage facilities with screening;
- (iv) details of new/retained path to aid in the enhancement of the frontage

This is now considered acceptable as the alterations proposed (final details to be confirmed with condition) are deemed to enhance the frontage.

3.2. Whether the proposal has an acceptable impact on neighbouring amenity

3.2.1 Basement: Excavation to any property in a street can have an unintentional impact to neighbouring sites, particularly if there are adjoining properties. As such, the council requires an applicant to demonstrate that from the outset of a basement proposal, consideration has been made towards the structural stability of their proposal. The applicant has submitted detailed documents and plans to show consideration for excavation has been given. A Construction Method Statement written by "Cowpe Lowe Engineering" has been submitted and the plans outlined in this have been accepted as being robust. This document, along with the proposed drawings show consideration has been given to this proposal and that issues of construction method, underpinning and stability have been taken into account for this proposal. The method of extraction has been confirmed as hand dug and removal via conveyor belt to the front of the property where it will be removed. This is acceptable.

Nuisance during construction is managed separately by Environmental Health and there are accepted hours of construction for construction sites which should be adhered to. The applicant can be reminded of these in the form of an informative. Furthermore a condition can be attached requiring the contractor to be a member of the Considerate Constructors Scheme.

3.2.2 Lightwells and external alterations: It cannot be considered that any of the external alterations will have any impact on neighbouring residents.

5.1 Conclusion

It has been found that this planning application complies with wider basement policy across the Borough, most notably within Queens Park Conservation Area, and this application has been assessed accordingly in light of relevant discussions at recent Planning Committees..

Considering the points discussed above and subject to conditions, the proposed basement, and alterations to the frontage are considered to have an acceptable impact on the character of the host dwelling and the amenities of neighbours and would preserve the special character of the surrounding Conservation Area. The proposal therefore accords with saved UDP (2004) policies BE2, BE7, BE9, BE25 and BE26, Core Strategy (2010) policy CP17, SPG5 'Altering and Extending Your Home', Brents Basement Guidance and the NPPF (2012) and is therefore recommended for approval.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/2362

To: Mr Stephen Tween
More Space
115 Gunersbury Avenue
Ealing
London
W5 4HB

I refer to your application dated 04/06/2015 proposing the following:
Basement extension with front and rear lightwells to ground floor flat
and accompanied by plans or documents listed here:
See Condition 2
at 37A Streatley Road, London, NW6 7LT

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-

Brent Unitary Development Plan 2004
Core Strategy 2010
London Plan 2015

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Housing: in terms of protecting residential amenities and guiding new development

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

MS 15003/P/01;
MS 15003/P/02;
MS 15003/P/03 REV A;
MS 15003/P/04;
MS 15003/P/05;
Construction Method Statement
Design and Access Statement

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 All new external work shall be carried out in materials that match, in colour, texture and design detail those of the existing building.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 4 The proposed basement hereby approved shall not be used as a self contained residential unit. Any change, or intensification of use, will require planning permission. The works shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 5 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- 6 Notwithstanding the plans hereby approved, a new planting plan for the front garden shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All detailed works shall be carried out as approved prior to the occupation of the premises. Such details shall include:

- (i) planting of the front garden area with shrubs and/or trees;
- (ii) retention of the front garden wall or walls and the retention of the existing front boundary privet hedge;
- (iii) placement of waste and recycling storage facilities with screening;
- (iv) details of new/retained path to aid in the enhancement of the frontage

Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure the development enhances and preserves the amenity, character and appearance of the Conservation Area

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 2 You are advised that that construction and demolition work is controlled by the Council under Section 60 and 61 of the Control of Pollution Act 1974, and the British Standard Codes of practice 5228:1997 Parts 1 to 4. In particular, building work that is audible at the boundary of the site shall only be carried out between the following hours:

Monday to Friday - 08.00 to 18.30
Saturdays – 08.00 to 13.00
Sundays and Bank Holidays – No noisy works at all
- 3 The application has demonstrated that appropriate consideration in terms of build methodology in relation to the basement has been undertaken by the qualified Engineer in accordance with the Councils Good practice guidance for basement construction. The Council has used its best endeavours to determine this application on the basis of the information available to it, however the granting of planning permission does not provide any warranty against damage of adjoining or nearby properties, and the responsibility and any liability for the safe development of the site rests with the developer and/or landowner.
- 4 In terms of controlling and minimising dust arising from activities on the site, the applicant is advised of the following mitigation measures:
 - damping down during demolition and construction, particularly in dry weather conditions,
 - sheeting of lorry loads during haulage and employing particulate traps on HGVs wherever possible,
 - ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation,utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area, the use of demolition equipment that minimises the creation of dust.

MEMBERS CALL IN PROCEDURE

In accordance with Part 5 of the Constitution and Section 10 of the Planning Code of Practice, the following information has been disclosed in relation to requests made by Councillors for applications to be considered by the Planning Committee rather than under Delegated Powers

Name of Councillor

John Duffy

Date and Reason for Request

Approach from objector

Details of any representations received

Name of Councillor

Rita Conneely

Date and Reason for Request

Approach from objector

Details of any representations received

Name of Councillor

James Denselow

Date and Reason for Request

In support of Cllr Duffy

Details of any representations received

Name of Councillor

Claudia Hector

Date and Reason for Request

In support of Cllr Duffy

Details of any representations received

Name of Councillor

Neil Nerva

Date and Reason for Request

In support of Cllr Duffy

Details of any representations received

Any person wishing to inspect the above papers should contact Harini Boteju, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5015